

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO.9905 OF 2018
IN
FA/4141/2008
WITH
CA/10586/2018 IN FA/4141/2008

KONDIRAMSING HIRALALSING RAJPUT (DIED) THR LRS
VIMALBAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Mr. Adkine Sonaji K
Ms. SS Raut, AGP for Respondent-State.

CORAM : P.R.BORA, J.

DATE : 23rd August, 2018.

PER COURT :

1) CA No.9905/2018 is filed for withdrawal of the amount deposited by the State in pursuance of the settlement of the matters in Lokadalat; whereas CA No.10586/2018 is filed for bringing the legal heirs of deceased appellant No.1 on record.

2) Shri Adkine, learned counsel for the applicants submitted that the State had preferred the appeal against the Award passed in LAR No. 126/1999. The learned counsel further submitted

that the First Appeal came to be disposed of by way of settlement in Lokadalat held on 1st December, 2012.

3) After having heard the learned counsel for the applicants and after having perused the contents of the application, it appears to me that once the matter is settled in the Lokadalat, now, it may not be permissible for this Court to entertain the application for bringing the legal heirs of deceased appellant No.1 on record. The appropriate remedy for the applicants would be to file execution proceeding before the Executing Court and prefer all these applications so that necessary inquiry can be carried out by the said court and in such circumstance, the applicant may pray for transmitting the amount if deposited in this court to the Executing Court.

4) The civil applications stand disposed of.

(P . R . BORA)
JUDGE

bdv/